

REMARKS

This Response is submitted in reply to the Final Office Action mailed April 19, 2007, and in accordance with the telephone interview courteously granted to Applicant's representatives on August 29, 2007. Claims 1, 3, 8, 10, 18, 19, 24, 25, 30, 88, and 103 to 116 have been amended. Claims 117 to 122 have been added. No new matter has been added by way of these amendments or new claims.

A Petition for a Three-Month Extension of Time is submitted herewith. A Request for Continued Examination ("RCE") is submitted herewith. Please charge deposit account number 02-1818 to cover the cost of the Three-Month Extension of Time, the RCE and for any other fees due in connection with this response.

The Office Action rejects:

1. Claims 1, 3, 8 to 10, 18, 19, 24, 25, 30 and 88 to 101 under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 6,193,606 to Walker ("Walker") in view of the teachings of the publications by Vancura, Martinez or Kilby;

2. Claims 1, 3, 8 to 10, 18, 19, 24, 25, 30 and 88 to 101 under 35 U.S.C. 103 as being unpatentable over U.K. Patent No. 2,262,642 to Claypole et al. ("Claypole") in view of the teachings of the publications by Vancura, Martinez or Kilby; and

3. Claims 1, 3, 8 to 10, 18, 19, 24, 25, 30 and 88 to 101 under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 5,848,932 to Adams ("Adams") in view of the teachings of the publications by Vancura, Martinez or Kilby.

As discussed during the interview, Applicant disagrees with the Office Action's interpretations of the prior art. Nonetheless, Applicant has amended Claims 1, 3, 8, 10, 18, 19, 24, 25, 30, 88, and 103 to 116 to place the application in condition for allowance.

1. The rejections over Walker in view of the teachings of Vancura, Martinez or Kilby

Walker discloses a gaming system that enables a player to play a game of knowledge, such as a trivia game, while playing a slot game on a slot machine. The

player can use successful trivia results to access higher reward levels with the slot game, with each reward level having progressively higher payouts for a given winning combination or a higher probability of a winning result. The trivia questions are stored in a question database after being obtained from a remote source.

More specifically, the Walker gaming system includes a plurality of gaming machines, a probability table and a plurality of paytables. The probability table includes each possible reel combination and number ranges assigned to each possible reel combination. The different paytables are associated with different reward levels which are determined by predefined criteria. The gaming system monitors a player's trivia question performance to determine the player's payable for the slot game. If the player meets certain predefined criteria, the gaming system moves the player up a reward level. For example, every time the player answers three correct trivia questions, the player moves up a reward level and thus a different payable.

In a play of the game, a player presses a spin reels button. The gaming system generates a number via a random number generator. The gaming system determines the current reward level based on the player's trivia results and looks up the number on the appropriate probability table to determine a reel combination. The gaming system causes the reels to spin and to stop spinning to generate and display the determined reel combination. While the reels are spinning, the gaming system provides the player a trivia question. Based on the identified slot outcome and the player's answer to the trivia question, the gaming system locates the appropriate payable and determines a single award for the player. The award in Walker is dependent on the randomly generated outcome for the slot game and additionally dependent on the trivia game.

For example, the Walker gaming system randomly generates a number and matches the number on the probability table to a symbol combination of bar/plum/plum. A first payable provides an award of 14 for not answering the trivia question, an award of 18 for a correct trivia answer and an award of 12 for an incorrect trivia answer. A second payable provides an award of 14 for not answering the trivia question, an award of 20 for a correct trivia answer and an award of 12 for an incorrect trivia answer. The payable used in determining the outcome for the player is based on the player's reward level.

Vancura, Martinez and Kilby are publications relating to the general concept of a house advantage in gaming. More specifically, the Office Action uses Vancura to support the allegation that a casino does not want to lose money.

The Office Action relies on Kilby to support the allegation that player skill level is probability the most significant determinant of hold.

The Office Action relies on Martinez to disclose the house percentage fluctuates depending upon the skill of the player. Martinez states that the house advantage of "blackjack fluctuates between .5 and 4 percent on average depending on the skill of the player." The Office Action also uses Martinez to support the allegation that "[o]ne consideration is the player skill as discussed above, not only to make sure that the house does not loose money, but also to make sure they do 'not pummel the clientele, and they will not return nor will anyone else visit after the word gets out.'"

Neither Walker, Vancura, Martinez nor Kilby render obvious the combination of elements of amended Claim 1. Specifically, Claim 1 includes displaying a play of an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 1 also includes displaying a play of a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements. In Walker, two payouts from the games are not possible. In Walker, the outcome of the trivia game determines a paytable and the outcome from the slot game determines the amount provided to the player based on the paytable. In Walker, the trivia game cannot result in a payout. The Office Action states that "Walker is capable of a first reward shown at element 950 and a second reward at 960 in his fig. 9. ... Walker is considered to show the capability of two payoff[s] at 950 and 960 as set forth above." Applicant disagrees with this statement. In Walker, two game outcomes may determine the one payoff. However, in Walker, the outcome of the trivia game alone cannot result in a payoff.

The Board Decision, Appeal No. 2004-0357, for the parent application Serial No. 09/372,560 ("Parent's Board Decision") states "we find that Walker does not teach the use of two payoffs ... Walker teaches a single payoff."

Additionally, neither Walker, Vancura, Martinez nor Kilby render obvious, in combination with the other elements of amended Claim 1, the knowledge-based bonus game configured to maintain within a predetermined range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance, the predetermined range configured to include at least two expected returns for the player, a first expected return provided by the play of the knowledge-based bonus game by the player guessing answers and a second expected return provided by the player having perfect knowledge of answers.

Applicant submits that Claims 1, 3, 89, 90, 103, 104 and 117 are patentable over Walker in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 8 includes, in combination with other elements, an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination. The first outcome is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 8 also includes a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 8 includes the knowledge-based bonus game configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance. The range is defined by a minimum value and a maximum value. At least one of the minimum value and the maximum value are configured to change for different plays of the knowledge-based bonus game. The range is configured to account for an expected return provided by the play of knowledge-based bonus game by the player guessing answers and by the player having perfect

knowledge of answers. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 8, 9, 91, 92, 105, 106 and 118 are patentable over Walker in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 10 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a first outcome displayed to the player, the first outcome dependent upon at least one random determination. The first outcome is capable of resulting in a first payout to the player and the underlying game of chance has a first house advantage. Claim 10 includes displaying a play of a knowledge-based bonus game in combination with the underlying game of chance. The knowledge-based bonus game includes queries and uses answers inputted by the player to the queries in the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 10 includes the knowledge-based bonus game is configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance. The range is defined by a minimum value and a maximum value, and at least one of the minimum value and the maximum value changes for different plays of the knowledge-based bonus game. The range is configured to account for a plurality of expected returns. A first minimum expected return is provided by the play of knowledge-based bonus game by the player guessing answers. A second maximum expected return is provided to the player having perfect knowledge of answers. The minimum expected return and the maximum expected return may be different for different plays of the knowledge-based bonus game. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 10, 93, 94, 107, 108 and 119 are patentable over Walker in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 18 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 18 also includes displaying a play of a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and is dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 18 includes the knowledge-based bonus game including:

- (a) providing the player a query;
- (b) providing the player a plurality of selections to answer the query, at least one of the selections corresponding to at least one correct answer and at least one of the selections corresponding to at least one incorrect answer;
- (c) enabling the player to select one of the selections;
- (d) if the player selects the at least one selection corresponding to the at least one correct answer, awarding the player a first amount;
- (e) if the player selects the at least one selection corresponding to the incorrect answer, enabling the player to select one of the non-selected selections and if the player selects the at least one selection corresponding to the correct answer, awarding the player a second amount; and
- (f) providing any awarded amounts to the player as the second payout.

Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 18, 95, 96, 109, 100, and 120 are patentable over Walker in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 19 includes, in combination with other elements, displaying a play of the underlying casino game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is

capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 19 also includes displaying a play of the knowledge-based bonus game when the underlying casino game of chance is stopped, the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, Claim 19 includes, in combination with other elements, the knowledge-based bonus game is configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying casino game of chance. The range is defined by a minimum value and a maximum value. At least one of the minimum value and the maximum value changes for different plays of the knowledge-based bonus game. The range is configured to account for a plurality of expected returns, a first minimum expected return provided by the play of knowledge-based bonus game by the player guessing answers and a second maximum expected return is provided to the player having perfect knowledge of answers. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, Claim 19 includes, in combination with other elements, playing the knowledge-based game at least including providing at least one query to the player in the knowledge-based game, receiving an answer from the player in response to the provided at least one query, if the answer is incorrect, receiving a second answer from the player in response to the at least one query and paying the player a first amount for the second payout if the first answer is correct, paying the player a second amount for the second payout if the second answer is correct. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 19, 24, 97, 98, 111 and 112 are patentable over Walker in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 25 includes, in combination with other elements, displaying a play of the underlying casino game of chance which results in a first outcome displayed to the player where the first outcome dependent upon at least one random determination and

is capable of resulting in a first award payable to the player. The underlying game of chance has a first house advantage. Claim 25 also includes displaying a play of the knowledge-based bonus game in combination with the underlying game. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Claim 25 also includes, in combination with other elements, the knowledge-based game including providing at least one query to the player in the knowledge-based game, receiving at least one answer from the player in the response to the provided at least one query, if the answer is incorrect, receiving a second answer from the player in response to the at least one query and displaying a second outcome to the player, wherein the second outcome is dependent upon the knowledge of the player, the second outcome capable of resulting in a second payout payable to the player, wherein the second payout is a first amount if the first answer is correct and the second payout is a second amount if the second answer is correct. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 25, 30, 99, 100, 113, 114 and 121 are patentable over Walker in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 88 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a plurality of first outcomes displayed to the player. The first outcomes are dependent upon at least one random determination and are capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 88 includes displaying a play of a knowledge-based bonus game using answers from the player in combination with the underlying game of chance, the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Claim 88 also includes the knowledge-based bonus game is configured to maintain within a predetermined range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance the predetermined range configured to include at least two expected returns provided by the play of

knowledge-based bonus game, a first expected return provided when to the player guessing answers and a second expected return provided when to the player having perfect knowledge of answers. Neither Walker, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 88, 101, 102, 115, 116 and 122 are patentable over Walker in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

2. The rejections over Claypole in view of the teachings of Vancura, Martinez or Kilby

Claypole discloses a gaming machine which has a reel display including three rotatable reels with fruit symbols and a video display screen. Elements of a trail system are progressively illuminable by certain outcomes of a game played on the reels. Sufficient advancement of the illuminable trail elements initiates the display of a video game on a second display screen. In one embodiment, the award for reaching a particular advancement on the trail is a skill game which is played using another display screen. The skill game may be provided as an award based on the reel game. The skill game may be a quiz game providing an award for a correct answer. The skill game may be a shooting game which can provide an award dependent on the player's success in the shooting game.

Claypole does not disclose a first outcome capable of resulting in a first payout to the player and a second outcome capable of resulting in a second payout to the player or a house advantage. As stated on pg. 9 of the Parent Board Decision:

[w]hile Claypole teaches the use of game of skill, such as a quiz game, (Claypole at pages 3, 4, and 7), Claypole does not specifically address that the outcome of the combination of game of chance and game of skill would have separate payoffs. (Reply brief at pages 14-15.) From our review of the teachings of Claypole, we find no clear discussion that there are two separate payoffs for the two portions of the combined game. The examiner maintains that Claypole teaches the separate payoffs by the discussion of the player using the collect button. (Answer at page 10, Claypole at page 12.) While this shows the ability to collect the winnings from the game of chance, there is no discussion of how the payoff of the trivia or quiz game would be made and what the wager would be.

From our review of the Claypole reference, we find that Claypole is silent as to the payoffs and the house advantage. We find Claypole to be a general teaching of multiple variations on combined games with little detail thereto. ...

Neither Claypole, Vancura, Martinez nor Kilby render obvious the combination of elements of amended Claim 1. Specifically, Claim 1 includes displaying a play of an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 1 also includes displaying a play of a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, neither Claypole, Vancura, Martinez nor Kilby render obvious, in combination with the other elements of amended Claim 1, the knowledge-based bonus game configured to maintain within a predetermined range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance, the predetermined range configured to include at least two expected returns for the player, a first expected return provided by the play of the knowledge-based bonus game by the player guessing answers and a second expected return provided by the player having perfect knowledge of answers.

Applicant submits that Claims 1, 3, 89, 90, 103, 104 and 117 are patentable over Claypole in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 8 includes, in combination with other elements, an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination. The first outcome is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 8 also includes a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The

play of the knowledge-based bonus game results in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 8 includes the knowledge-based bonus game configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance. The range is defined by a minimum value and a maximum value. At least one of the minimum value and the maximum value are configured to change for different plays of the knowledge-based bonus game. The range is configured to account for an expected return provided by the play of knowledge-based bonus game by the player guessing answers and by the player having perfect knowledge of answers. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 8, 9, 91, 92, 105, 106 and 118 are patentable over Claypole in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 10 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a first outcome displayed to the player, the first outcome dependent upon at least one random determination. The first outcome is capable of resulting in a first payout to the player and the underlying game of chance has a first house advantage. Claim 10 includes displaying a play of a knowledge-based bonus game in combination with the underlying game of chance. The knowledge-based bonus game includes queries and uses answers inputted by the player to the queries in the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 10 includes the knowledge-based bonus game is configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance. The range is defined by a minimum value and a maximum value, and at least one of the minimum value and the maximum value changes for

different plays of the knowledge-based bonus game. The range is configured to account for a plurality of expected returns. A first minimum expected return is provided by the play of knowledge-based bonus game by the player guessing answers. A second maximum expected return is provided to the player having perfect knowledge of answers. The minimum expected return and the maximum expected return may be different for different plays of the knowledge-based bonus game. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 10, 93, 94, 107, 108 and 119 are patentable over Claypole in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 18 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 18 also includes displaying a play of a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and is dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 18 includes the knowledge-based bonus game including:

- (a) providing the player a query;
- (b) providing the player a plurality of selections to answer the query, at least one of the selections corresponding to at least one correct answer and at least one of the selections corresponding to at least one incorrect answer;
- (c) enabling the player to select one of the selections;
- (d) if the player selects the at least one selection corresponding to the at least one correct answer, awarding the player a first amount;
- (e) if the player selects the at least one selection corresponding to the incorrect answer, enabling the player to select one of the non-selected selections and if

the player selects the at least one selection corresponding to the correct answer, awarding the player a second amount; and

- (f) providing any awarded amounts to the player as the second payout.

Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 18, 95, 96, 109, 100, and 120 are patentable over Claypole in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 19 includes, in combination with other elements, displaying a play of the underlying casino game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 19 also includes displaying a play of the knowledge-based bonus game when the underlying casino game of chance is stopped, the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, Claim 19 includes, in combination with other elements, the knowledge-based bonus game is configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying casino game of chance. The range is defined by a minimum value and a maximum value. At least one of the minimum value and the maximum value changes for different plays of the knowledge-based bonus game. The range is configured to account for a plurality of expected returns, a first minimum expected return provided by the play of knowledge-based bonus game by the player guessing answers and a second maximum expected return is provided to the player having perfect knowledge of answers. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, Claim 19 includes, in combination with other elements, playing the knowledge-based game at least including providing at least one query to the player in the knowledge-based game, receiving an answer from the player in response to the

provided at least one query, if the answer is incorrect, receiving a second answer from the player in response to the at least one query and paying the player a first amount for the second payout if the first answer is correct, paying the player a second amount for the second payout if the second answer is correct. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 19, 24, 97, 98, 111 and 112 are patentable over Claypole in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 25 includes, in combination with other elements, displaying a play of the underlying casino game of chance which results in a first outcome displayed to the player where the first outcome dependent upon at least one random determination and is capable of resulting in a first award payable to the player. The underlying game of chance has a first house advantage. Claim 25 also includes displaying a play of the knowledge-based bonus game in combination with the underlying game. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Claim 25 also includes, in combination with other elements, the knowledge-based game including providing at least one query to the player in the knowledge-based game, receiving at least one answer from the player in the response to the provided at least one query, if the answer is incorrect, receiving a second answer from the player in response to the at least one query and displaying a second outcome to the player, wherein the second outcome is dependent upon the knowledge of the player, the second outcome capable of resulting in a second payout payable to the player, wherein the second payout is a first amount if the first answer is correct and the second payout is a second amount if the second answer is correct. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 25, 30, 99, 100, 113, 114 and 121 are patentable over Claypole in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 88 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a plurality of first outcomes displayed to the player. The first outcomes are dependent upon at least one random determination and

are capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 88 includes displaying a play of a knowledge-based bonus game using answers from the player in combination with the underlying game of chance, the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Claim 88 also includes the knowledge-based bonus game is configured to maintain within a predetermined range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance the predetermined range configured to include at least two expected returns provided by the play of knowledge-based bonus game, a first expected return provided when to the player guessing answers and a second expected return provided when to the player having perfect knowledge of answers. Neither Claypole, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 88, 101, 102, 115, 116 and 122 are patentable over Claypole in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

3. The rejections over Adams in view of the teachings of Vancura, Martinez or Kilby

Adams discloses:

[g]aming devices comprising a standard gaming unit, e.g., three reels, and a discernible additional payout indicator, e.g., a rotatable wheel. A preferred bonus payout indicator is clearly visible by the player and is actuatable when the reels of the slot machine stop on certain predetermined indicia. A preferred embodiment further comprises a payout multiplier which displays a plurality of values by which a payout may be multiplied.

According to the most preferred embodiments, a bonus payout indicator is clearly visible to a player and is operable when primary reels of a primary game slot machine stop on certain predetermined indicia. According to one preferred embodiment of the present invention, a secondary payout indicator is in the form of a rotatable bonus wheel which can be caused to spin automatically or in response to some action by a player, e.g., the player pushing a button, when the

primary game indicates one of a predetermined plurality of indicia. The wheel is caused to gradually reduce speed and when the wheel stops, a pointer indicates the payout to be awarded to the player.

Another preferred embodiment of the present invention further comprises a discernible multiplier which provides the ability to change either the payout from the primary gaming unit or the secondary payout indicator, or both. As described in more detail below, it is within the scope of the present invention to provide a payout from the primary gaming unit, a payout indicated by the secondary indicator only, a payout from the primary gaming unit or the secondary indicator as changed by the multiplier, or a separate, plurality of payouts from the primary gaming unit and the secondary indicator either with or without modification by a multiplier.

While the illustrated payout multiplier of the illustrated embodiments is in the form of an electronically selected value, it is also within the scope of the present invention to have a multiplier which involves some skill on the part of a player. For example, according to an additional preferred embodiment of the present invention, a player will shoot actual projectiles, such as coins, at one or more targets in an effort to increase the value of the multiplier. In any of the embodiments of the present invention utilizing a multiplier, the multiplier can affect the value of a payout from the standard gaming unit, the additional payout indicator, or both the standard gaming unit and the payout indicator. ...

Neither Adams, Vancura, Martinez nor Kilby render obvious the combination of elements of amended Claim 1. Specifically, Claim 1 includes displaying a play of an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 1 also includes displaying a play of a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. The multiplier of Adams is an outcome that changes one of the values of the primary game or the secondary game. The multiplier of Adams "can affect the value of a payout from the standard gaming unit, the additional payout indicator, or both the standard gaming unit and the payout indicator." Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, neither Adams, Vancura, Martinez nor Kilby render obvious, in combination with the other elements of amended Claim 1, the knowledge-based bonus game configured to maintain within a predetermined range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance, the predetermined range configured to include at least two expected returns for the player, a first expected return provided by the play of the knowledge-based bonus game by the player guessing answers and a second expected return provided by the player having perfect knowledge of answers.

Applicant submits that Claims 1, 3, 89, 90, 103, 104 and 117 are patentable over Adams in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 8 includes, in combination with other elements, an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination. The first outcome is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 8 also includes a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 8 includes the knowledge-based bonus game configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance. The range is defined by a minimum value and a maximum value. At least one of the minimum value and the maximum value are configured to change for different plays of the knowledge-based bonus game. The range is configured to account for an expected return provided by the play of knowledge-based bonus game by the player guessing answers and by the player having perfect knowledge of answers. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 8, 9, 91, 92, 105, 106 and 118 are

patentable over Adams in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 10 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a first outcome displayed to the player, the first outcome dependent upon at least one random determination. The first outcome is capable of resulting in a first payout to the player and the underlying game of chance has a first house advantage. Claim 10 includes displaying a play of a knowledge-based bonus game in combination with the underlying game of chance. The knowledge-based bonus game includes queries and uses answers inputted by the player to the queries in the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 10 includes the knowledge-based bonus game is configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance. The range is defined by a minimum value and a maximum value, and at least one of the minimum value and the maximum value changes for different plays of the knowledge-based bonus game. The range is configured to account for a plurality of expected returns. A first minimum expected return is provided by the play of knowledge-based bonus game by the player guessing answers. A second maximum expected return is provided to the player having perfect knowledge of answers. The minimum expected return and the maximum expected return may be different for different plays of the knowledge-based bonus game. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 10, 93, 94, 107, 108 and 119 are patentable over Adams in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 18 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first

house advantage. Claim 18 also includes displaying a play of a knowledge-based bonus game using answers inputted by the player in combination with the underlying game of chance. The play of the knowledge-based bonus game results in a second outcome displayed to the player and is dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements. Additionally, Claim 18 includes the knowledge-based bonus game including:

- (a) providing the player a query;
- (b) providing the player a plurality of selections to answer the query, at least one of the selections corresponding to at least one correct answer and at least one of the selections corresponding to at least one incorrect answer;
- (c) enabling the player to select one of the selections;
- (d) if the player selects the at least one selection corresponding to the at least one correct answer, awarding the player a first amount;
- (e) if the player selects the at least one selection corresponding to the incorrect answer, enabling the player to select one of the non-selected selections and if the player selects the at least one selection corresponding to the correct answer, awarding the player a second amount; and
- (f) providing any awarded amounts to the player as the second payout.

Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 18, 95, 96, 109, 100, and 120 are patentable over Adams in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 19 includes, in combination with other elements, displaying a play of the underlying casino game of chance which results in a first outcome displayed to the player. The first outcome is dependent upon at least one random determination and is capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 19 also includes displaying a play of the knowledge-based bonus game when the underlying casino game of chance is stopped, the play of the knowledge-based bonus game resulting in a second outcome displayed to the

player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, Claim 19 includes, in combination with other elements, the knowledge-based bonus game is configured to maintain within a range a second house advantage for the combined knowledge-based bonus game with the underlying casino game of chance. The range is defined by a minimum value and a maximum value. At least one of the minimum value and the maximum value changes for different plays of the knowledge-based bonus game. The range is configured to account for a plurality of expected returns, a first minimum expected return provided by the play of knowledge-based bonus game by the player guessing answers and a second maximum expected return is provided to the player having perfect knowledge of answers. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Additionally, Claim 19 includes, in combination with other elements, playing the knowledge-based game at least including providing at least one query to the player in the knowledge-based game, receiving an answer from the player in response to the provided at least one query, if the answer is incorrect, receiving a second answer from the player in response to the at least one query and paying the player a first amount for the second payout if the first answer is correct, paying the player a second amount for the second payout if the second answer is correct. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 19, 24, 97, 98, 111 and 112 are patentable over Adams in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 25 includes, in combination with other elements, displaying a play of the underlying casino game of chance which results in a first outcome displayed to the player where the first outcome dependent upon at least one random determination and is capable of resulting in a first award payable to the player. The underlying game of chance has a first house advantage. Claim 25 also includes displaying a play of the knowledge-based bonus game in combination with the underlying game. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Claim 25 also includes, in combination with other elements, the knowledge-based game including providing at least one query to the player in the knowledge-based game, receiving at least one answer from the player in the response to the provided at least one query, if the answer is incorrect, receiving a second answer from the player in response to the at least one query and displaying a second outcome to the player, wherein the second outcome is dependent upon the knowledge of the player, the second outcome capable of resulting in a second payout payable to the player, wherein the second payout is a first amount if the first answer is correct and the second payout is a second amount if the second answer is correct. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 25, 30, 99, 100, 113, 114 and 121 are patentable over Adams in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

Claim 88 includes, in combination with other elements, displaying a play of an underlying game of chance which results in a plurality of first outcomes displayed to the player. The first outcomes are dependent upon at least one random determination and are capable of resulting in a first payout to the player. The underlying game of chance has a first house advantage. Claim 88 includes displaying a play of a knowledge-based bonus game using answers from the player in combination with the underlying game of chance, the play of the knowledge-based bonus game resulting in a second outcome displayed to the player and dependent upon the knowledge of the player. The second outcome is capable of resulting in a second payout to the player. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Claim 88 also includes the knowledge-based bonus game is configured to maintain within a predetermined range a second house advantage for the combined knowledge-based bonus game with the underlying game of chance the predetermined range configured to include at least two expected returns provided by the play of knowledge-based bonus game, a first expected return provided when to the player guessing answers and a second expected return provided when to the player having perfect knowledge of answers. Neither Adams, Vancura, Martinez nor Kilby render obvious this combination of elements.

Applicant respectfully submits that Claims 88, 101, 102, 115, 116 and 122 are patentable over Adams in view of the teachings of Vancura, Martinez or Kilby and are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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